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MEMO ENDORSED

August 25, 2020

File No. 50027.1076

VIA ECF

Honorable Edgardo Ramos
United States District Court,
Southern District of New York
40 Foley Square, Courtroom 619
New York, New York 10007

Re: Industrial Quick Search, Inc., et. al. v. Miller, Rosado & Algios, LLP, et. al.
Docket No.: 1:13-civ-05589 (ER)

Dear Judge Ramos:

We represent the defendants in the above-referenced action. We write this letter jointly with the plaintiffs, seeking an adjournment of the jury trial scheduled to begin December 7, 2020, as well as an adjournment of the deadlines to file: (a) supplemental motions in limine, revised proposed jury instructions, voir dire questions and verdict sheet, if any, currently due November 6, 2020; and (b) any opposition to supplemental motions in limine or objections to revised proposed jury instructions, voir dire questions, and verdict sheets, if any, currently due November 20, 2020.

The parties seek an adjournment to accommodate an in-person mediation, which we are attempting to re-schedule for November 18th, 19th or 20th. Both parties agree to mediate, and counsel believe that this will be most productive if conducted in person with all parties present. As many of the necessary participants are in a high-risk category for severe illness from COVID-19, we respectfully request that the Court grant an adjournment of the trial to accommodate in-person mediation, so that it may be conducted at a time when counsel and parties will have less potential exposure to COVID-19. We believe this to be the safest and most prudent course of action, both for the health of the individuals involved and to potentially limit the Court's time and resources if this matter is able to settle without the need for a jury trial. Plaintiff's counsel Henry Emrich and plaintiff Michael Meiresonne are both over the age of 60 and will have to fly from Michigan to New York to attend mediation. Presently, both states

either recommend or require a self-quarantine period on both sides of travel,¹ which would cause an unnecessary burden and expense to conducting the mediation in-person at this time. Additionally, named defendant, attorney Neil Miller, was previously hospitalized after testing positive for COVID-19.

Based upon the above, the parties respectfully request that the trial be adjourned to March or April 2021 if this Court has time available. If Your Honor wishes, the parties are happy to meet and confer and provide mutually available dates for the adjournment.

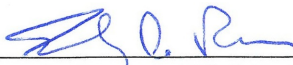
If the Court requires anything further, please do not hesitate to contact the undersigned.

Respectfully,

/s/ Mark K. Anesh

Mark K. Anesh of
LEWIS BRISBOIS BISGAARD & SMITH LLP

The parties are directed to meet and confer and provide mutually available dates for the adjournment.



Edgardo Ramos, U.S.D.J
Dated: August 26, 2020
New York, New York

¹ Michigan is presently on the New York Department of Health list of restricted states. This list is reportedly updated weekly and based on positive tests in excess of 10%. See, coronavirus.health.ny.gov/covid-travel-advisory.